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5 MONT E. TANNER, ESQ.  
6 Nevada Bar Number 004433  
7 LAW OFFICES OF MONT E. TANNER  
8 2950 East Flamingo Road, Suite G  
9 Las Vegas, Nevada 89121  
Telephone: (702) 369-9614  
Facsimile: (702) 369-5731  
*Attorney for Defendant*

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,  
13 Plaintiff,

14 vs.

15 EMILE EDWARD BOUARI,  
16 Defendant.

CASE NO.: 2:16-CR-00032-JCM-GWS

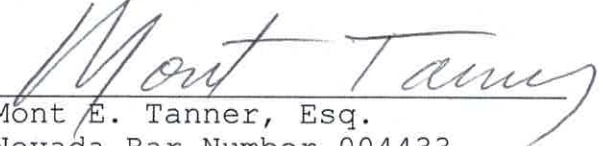
APPLICATION FOR AN ORDER  
SHORTENING TIME ON DEFENDANT'S  
MOTION TO RECONSIDER DEFENDANT'S  
PRE-TRIAL DETENTION STATUS

17  
18  
19 COMES NOW Defendant Emile E. Bouari ("Bouari"), by and  
20 through his counsel of record, Mont E. Tanner, Esq., of the Law  
21 Offices of Mont E. Tanner, and hereby applies to the Court for an  
22 Order Shortening Time with respect to his MOTION TO RECONSIDER  
23 DEFENDANT'S PRE-TRIAL DETENTION STATUS.

24 This Application is necessary as Bouari wishes to have the  
25 referenced Motion determined before trial in order to assist  
26 counsel.  
27

1 Dated the 12th day of April, 2018.

2 Law Offices of Mont E. Tanner

3   
4 Mont E. Tanner, Esq.

5 Nevada Bar Number 004433

6 2950 East Flamingo Road, Suite G

7 Las Vegas, Nevada 89121

8 Telephone: (702) 369-9614

9 Facsimile: (702) 369-5731

10 Attorney for Defendant

11 **AFFIDAVIT IN SUPPORT OF APPLICATION FOR ORDER SHORTENING TIME**

12 STATE OF NEVADA )

13 ) ss:

14 COUNTY OF CLARK )

15 Affiant, Mont E. Tanner, Esq., first being duly sworn,  
16 hereby deposes and says as follows:

17 1. That I am counsel for Defendant Bouari in the above-  
18 captioned action.

19 2. That the Court has scheduled a trial date for May 21, 2018.

20 3. That, as set forth in the accompanying Motion:

21 (a) Bouari has been in pre-trial detention for two years,  
22 and is not a flight risk;

23 (b) Bouari has a change in his circumstances and newly  
24 discovered evidence; and

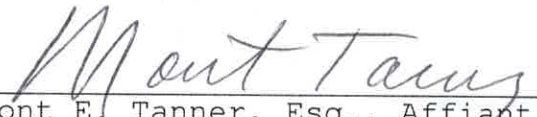
25 ( c) Bouari needs to review the newly discovered evidence  
26 to assist his counsel in preparing for trial.

27 4. That, unless the referenced Motion is scheduled on an Order  
Shortening Time, the Motion will be rendered moot as Bouari will  
remain in pre-trial detention and not have adequate time to be  
able to assist his counsel in preparing for trial.

1 5. That the referenced Motion should be calendared for hearing  
2 as soon as the Court's calendar will accommodate a hearing on  
3 shortened time.

4 Further, your Affiant says nothing.

5 DATED this 12th day of April, 2018.

6  
7   
8 Mont E. Tanner, Esq., Affiant

9 SWORN AND SUBSCRIBED TO before me  
10 this 12th day of April, 2018.

11 



ORDER

15 The Court, having considered Defendant's Application for  
16 Order Shortening Time with respect to his Motion to Reconsider  
17 Defendant's Pre-trial Detention Status, and being fully advised  
18 in the premises, and good cause appearing, therefor:

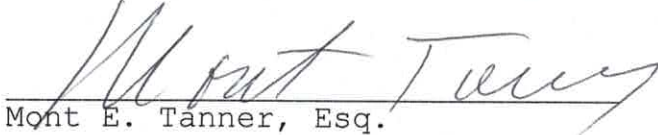
19 **IT IS HEREBY ORDERED, ADJUDGED and DECREED** that Defendant's  
20 Application is GRANTED and the Clerk of Court, or any other  
21 responsible party, is hereby directed to calendar the hearing in  
22 this matter for the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

23  
24 Dated: \_\_\_\_\_  
25  
26  
27

UNITED STATES MAGISTRATE JUDGE

Submitted by:

Law Offices of Mont E. Tanner

  
Mont E. Tanner, Esq.

2950 East Flamingo Road, Suite G  
Las Vegas, Nevada 89121

Attorneys for Defendant

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13 *Attorney for Defendant*

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 UNITED STATES OF AMERICA,  
14  
15 Plaintiff,

16 vs.

17 EMILE EDWARD BOUARI,  
18 Defendant.

CASE NO.: 2:16-CR-00032-JCM-GWS

MOTION TO RECONSIDER DEFENDANT'S  
PRE-TRIAL DETENTION STATUS

19  
20  
21 COMES NOW, Defendant, **EMILE EDWARD BOUARI** ("Bouari"), by and  
22 through his counsel of record, Mont E. Tanner, Esq., and hereby  
23 respectfully requests that the Court reconsider the previously  
24 entered pre-trial detention Order against Bouari; and order the  
25 release of Bouari from detention pending trial, based on a change  
26 of circumstances; newly discovered evidence; and to allow Bouari  
27 to assist his counsel in preparing his defense.  
28



1       Bouari respectfully requests that the Court grant him pre-  
2 trial release, and that he be released on his own recognizance  
3 pending trial.

4       This motion is made and based upon the attached Statement of  
5 the Law, the Statements of Facts, and Exhibits and any evidence  
6 deemed appropriate by the Court at hearing to be set as soon as  
7 practicable.  
8

9  
10                               THE LAW

11       1. Pursuant to 18 U.S.C. Section 3145, a Motion for an  
12 Amendment of an Order may be filed, and the Motion shall be  
13 determined promptly.

14       2. In the instant case, the Order which Defendant seeks to  
15 have amended is the Order detaining Bouari pending trial, signed  
16 by Magistrate Judge Peggy A. Leen on February 19, 2016, and  
17 entered on February 26, 2016 [ECF. No. 34]. (A copy of said  
18 Order is attached hereto as **Exhibit "A."**)

19       3. Set forth below is a statement of facts supporting  
20 Bouari's instant motion for reconsideration of his pre-trial  
21 detention status herein, based upon a change in circumstances;  
22 newly discovered evidence which indicates certain unauthorized  
23 illegal activity by the CHS, and further misconduct in the  
24 initiation of the case against Bouari; and so that Bouari may  
25 assist his counsel in preparing for trial.  
26

STATEMENT OF FACTS

4. This Court has recently continued Bouari's trial date to May 21, 2018. (A copy of the Stipulation to continue Calendar Call and Trial Date, signed by Judge Mahan on January 11, 2018, is attached hereto as **Exhibit "B."**)

5. Bouari has been in pre-trial detention since February, 2016, over two full years, pending a resolution of this matter, pursuant to a sealed indictment for, *inter alia*, money laundering. (See, **Exh. "A."**)

A. **Change in Circumstances and  
and Newly Discovered Evidence.**

6. The Court should be advised that there has been a change in circumstances in this matter. Jeffrey Danik ("Danik"), a Former FBI Agent and Trial Consultant, has recently discovered new evidence which indicates certain unauthorized illegal activity by the CHS, and further misconduct in the initiation of the case against Bouari. Copies of Mr. Danik's reports<sup>1</sup> have been forwarded to Assistant United States Attorney Robert A. Knief, Esq., for his review.

7. Further, Danik recently met with Assistant United States Attorney Robert A. Knief, Esq., to discuss this newly discovered evidence. It is the understanding of Bouari's counsel that Mr.

---

<sup>1</sup>Copies of Mr. Danik's reports are quite lengthy, and are not included as exhibits herein, but are already in the possession of Assistant United States Attorney, Robert Knief, Esq.

1 Knief has been conducting an investigation based upon the  
2 information provided to him by Mr. Danik.

3 8. Based on this newly discovered evidence, it has become  
4 clear that the allegations against Bouari presented at his  
5 pre-trial detention hearing are now known to be inaccurate, and  
6 that any allegations against him are now known to be  
7 misrepresentations.

8  
9 **B. Bouari's Request for a Stipulation  
and Order for Release Pending Trial.**

10 9. Further, and based on the information provided to  
11 Assistant United States Attorney Robert A. Knief, Esq., counsel  
12 for Bouari wrote to Mr. Knief on January 31, 2018, requesting a  
13 Stipulation and Order for Release Pending Trial. To date, there  
14 has been no satisfactory response from Mr. Knief. (A copy of  
15 counsel's January 31, 2018 letter to Robert Knief, Esq., without  
16 Exhibits, is attached hereto as **Exhibit "C."**)

17  
18 10. The Court should be advised that a similar indictment  
19 against Ghassan Bouari, a co-defendant in this matter, was  
20 recently dismissed on Motion by the United States itself, based  
21 upon a collateral investigation, also conducted by this same  
22 Former FBI Agent and Trial Consultant Danik, and the findings  
23 which came out of said investigation. (The Order dismissing the  
24 indictment against co-defendant Ghassan Houbous Bouari, signed by  
25  
26  
27  
28



1 United States District Judge Mahan, and entered August 13, 2017  
2 [ECF No. 116], is attached hereto as **Exhibit "D".**)

3 11. Bouari reasonably believes that the disposition of his  
4 case will mirror that of Ghassan Bouari's, and result in the  
5 dismissal of the indictment. Bouari believes that the reports  
6 and evidence produced by Danik show that there is no credible  
7 evidence against him in this case. He welcomes the opportunity  
8 to review these reports and evidence with counsel, and be heard  
9 at the trial of this matter. Based on the foregoing, it is  
10 entirely reasonable that Bouari should seek to have this Court  
11 reconsider his pre-trial detention status.  
12

13 **C. Bouari's Request to Assist His**  
14 **Counsel in Preparing for Trial.**

15 12. Bouari wishes to assist his counsel in preparing for  
16 trial. Bouari is an educated and sophisticated individual who  
17 became a United States citizen through service in the United  
18 States Army, and who served the United States from 2003 to 2006,  
19 and received an Honorable Discharge. Bouari is also a college  
20 graduate, with a Master's Degree from Boston University. He has  
21 ties to the community and is not a flight risk. (See, **Exh. "C."**)  
22

23 13. Based on the foregoing, it is respectfully submitted  
24 that someone with Bouari's background and education, and who is  
25 not a flight risk, would be an asset to his counsel in preparing  
26 for trial. The reports submitted by Danik are voluminous, and  
27  
28

1 will require hours for Bouari and his counsel to review; such  
2 review would best take place in counsel's office.

3 14. Bouari will cooperate fully with all Orders and  
4 directives of the Court, and will post any required bond, to  
5 ensure his appearance at all Court ordered appointments and  
6 hearings.

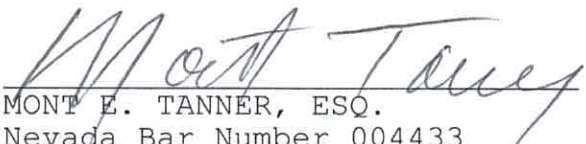
7 15. Based on the foregoing, Bouari respectfully requests  
8 that he be granted pre-trial release, and that he be released on  
9 his own recognizance pending trial. (A copy of a Proposed Order  
10 Granting Defendant's Motion to Reconsider Defendant's Pre-Trial  
11 Detention Status is attached hereto as **Exhibit "E."**)

12 16. Based on the foregoing, a hearing on Bouari's Motion is  
13 requested as soon as practicable, both in the interest of  
14 justice, and to prevent any further miscarriage of justice from  
15 occurring.

16 WHEREFORE, Defendant EMILE EDWARD BOUARI respectfully  
17 requests that a hearing be scheduled as soon as practicable in  
18 this matter.  
19

20 **DATED:** April 12, 2018

21 Respectfully Submitted,

22   
23 MONT E. TANNER, ESQ.  
24 Nevada Bar Number 004433  
25 LAW OFFICES OF MONT E. TANNER  
26 2950 East Flamingo Road, Suite G  
27 Las Vegas, Nevada 89121  
28 Telephone: (702) 369-9614  
Facsimile: (702) 369-5731  
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of April, 2016,  
I electronically transmitted the foregoing **"MOTION TO RECONSIDER  
DEFENDANT'S PRE-TRIAL DETENTION STATUS,"** to the Clerk's office  
using the System for filing and transmittal of a Notice of  
Electronic Filing to all counsel in this matter, all counsel  
begin registered to receive Electronic Filing.

**DATED:** this 18th day of April, 2018.

LAW OFFICES OF MONT E. TANNER

/s/ Mont E. Tanner, Esq.  
An employee of Mont E. Tanner

# **EXHIBIT “A”**



Case 2:16-cr-00032-JCM-GWF Document 34 Filed 02/26/16 Page 2 of 2

AO 472 (Rev. 09/08) Detention Order Pending Trial

## UNITED STATES DISTRICT COURT

for the

District of Nevada

☐ under 18 U.S.C. § 924(c).

- ☐ (2) The defendant has not rebutted the presumption established by finding 1 that no condition will reassess the defendant's appearance and the safety of the community.

### Alternative Findings (B)

- x (1) There is a serious risk that the defendant will not appear.
- x (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The defendant is ordered detained as both a flight risk and as a danger to the community for the following reasons: The defendant has no substantial ties to this or any other country in the United States. Defendant has no verifiable means of lawful and gainful employment. The offenses charged involve undercover operations involving money laundering for the stated purpose of engaging in laundering proceeds of narcotic and commercial sex acts. The Government represents there are approximately 60 recordings between the defendant and an undercover officer engaging in the schemes alleged in the Indictment as well as discussing other unlawful schemes such as a scheme to use Social Security numbers to commit identity theft and IRS fraud. The Government represents the defendant sold 7-10 Social Security numbers to the undercover officer. The Government's proffer indicates the defendant had multiple discussions about causing physical injury to a lawyer with whom he had a dispute over a lawsuit. The detailed nature of the discussions indicate malicious and wishful thinking by telling the undercover officer detailed information about where the attorney worked, where he lived, visited his mother, what kind of car he drove, who his partners were, how he could be approached in multiple areas, including a client to gain access to his law office, assaulting him at his mother's house on Sunday evenings when he had dinner with getting him on his way to his car. The defendant suggested he has foreign ties in the Middle East that would be more violent than beating him up, putting him in a wheelchair, or breaking bones. The Government's proffer indicated that the defendant was with an undercover officer discussing having Middle Eastern men from Dubai come to the United States for the purpose of having sex with 16 yr old girls, for which the defendant would profit from procuring.

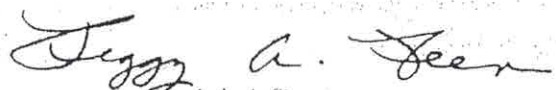
### Part II—Statement of the Reasons for Detention

The Court finds the defendant is a flight risk by the preponderance of the evidence and a danger to the community by clear and convincing evidence and that there are no conditions or combination of conditions that could be fashioned that would reasonably assure the defendant's appearance or the defendant to not re-offend.

### Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be given a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the defendant, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: February 19, 2016

  
Judge's Signature

PEGGY A. LEEN., UNITED STATES MAGISTRATE

Name and Title

## **EXHIBIT “B”**

Nevada Bar No. 6168  
**JUSTICE LAW CENTER**  
1100 S. Tenth Street  
Las Vegas, NV 89104  
(702) 731-0000  
admin@justice-law-center.com  
*Attorney for Defendant Mary Green*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THE UNITED STATES OF AMERICA,

Plaintiffs,

vs.

EMILE EDWARD BOUARI, et al.,

Defendant.

Case No.: 2:16-cr-0032-JCM-GWF

**STIPULATION TO CONTINUE  
CALENDAR CALL AND TRIAL DATE**

(Fifth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between ROBERT A. KNIEF, ESQ., Assistant United States Attorney, counsel for the UNITED STATES OF AMERICA, THOMAS A. ERICSSON, ESQ., counsel for the defendant, KIMBERLY ANN MILKO; BRET O. WHIPPLE, ESQ., counsel for defendant MARY GREEN; and MONTE TANNER, ESQ., counsel for defendant, EMILE BOUARI; that the calendar call currently scheduled for January 31, 2018 and the trial date currently scheduled for February 5, 2018 be vacated and continued to at least 90 days to a date and time that is convenient for this Honorable court.

This stipulation is entered into for the following reasons:

1. On December 18, 2017, Counsel, Monte Tanner, Esq., filed a Notice of Appearance on behalf of Defendant, Emile Bouari.
2. The parties are currently in ongoing discussions to resolve this case that could render the trial unnecessary.



3. In the event that there is no resolution, the parties will need additional time to finish reviewing the discovery, conducting their investigations, and finalizing trial preparations.
4. Counsel for EMILE BOUARI has been on the case for less than one (1) month and will need more time to review discovery and prepare for trial. The discovery in this case is voluminous and contains 60 recordings memorializing in excess 120 hours but less than 500 hours of English language conversations.
5. Counsel for MARY GREEN has spoken to Assistant United States Attorney Robert Kneif and he has no objection to the continuance.
6. Counsel for KIMBERLY ANN MILKO has spoken to his client and she has no objection to the continuance.
7. Counsel for defendant EMILE EDWARD BOUARI has spoken to his client, who is in custody, and he has no objection to the continuance.
8. Counsel for MARY GREEN has spoken to his client and she has no objection to the continuance.
9. The additional time requested herein is not for purposes of delay.
10. Denial of this request for a continuance could result in a miscarriage of justice.
11. This is the Fifth Request to continue the trial date in this matter.

Dated this 9<sup>th</sup> day of January, 2018.

**JUSTICE LAW CENTER**

/s/ Bret O. Whipple

BRET O. WHIPPLE, ESQ.  
Nevada Bar No. 6168  
1100 South Tenth Street  
Las Vegas, Nevada 89104

/s/ Thomas Ericsson  
THOMAS A. ERICSSON, ESQ.  
Counsel for Kimberly Ann Milko

/s/ Monte Tanner  
MONTE TANNER, ESQ.  
Counsel for Emile Edward Bouari

/s/ Robert Knief  
ROBERT A. KNIEF, ESQ.  
Assistant United States Attorney Counsel  
for USA



1  
2  
3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

5 THE UNITED STATES OF AMERICA,

6 Plaintiffs,

7 vs.

8 EMILE EDWARD BOURARI, et al.,

9 Defendant.  
10  
11

Case No.: 2:16-cr-0032-JCM-GWF

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

(FIFTH REQUEST)

12  
13 Based on the pending stipulation of counsel, and good cause appearing therefore, the  
14 Court finds that:

- 15 1. On December 18, 2017, Counsel, Monte Tanner, Esq., filed a Notice of Appearance  
16 on behalf of Defendant, Emile Bouari.
- 17 2. The parties are currently in ongoing discussions to resolve this case that could render  
18 the trial unnecessary.
- 19 3. In the event that there is no resolution, the parties will need additional time to finish  
20 reviewing the discovery, conducting their investigations, and finalizing trial  
21 preparations.
- 22 4. Counsel for EMILE BOUARI has been on the case for less than one (1) month and will  
23 need more time to review discovery and prepare for trial. The discovery in this case is  
24 voluminous and contains 60 recordings memorializing in excess 120 hours but less than  
25 500 hours of English language conversations.
- 26 5. Counsel for MARY GREEN has spoken to Assistant United States Attorney Robert  
27 Kneif and he has no objection to the continuance.
- 28 6. Counsel for KIMBERLY ANN MILKO has spoken to his client and she has no  
objection to the continuance.

1 7. Counsel for defendant EMILE EDWARD BOUARI has spoken to his client, who is in  
custody, and he has no objection to the continuance.

2 8. Counsel for MARY GREEN has spoken to his client and she has no objection to the  
3 continuance.

4 9. The additional time requested herein is not for purposes of delay.

5 10. Denial of this request for a continuance could result in a miscarriage of justice.

6 11. This is the Fifth Request to continue the trial date in this matter.  
7 .

8 **CONCLUSION OF LAW**

9 The ends of justice served by granting said continuance outweigh the interests of the public  
10 and the defense in a speedy trial, since the failure to grant said continuance would be likely to  
11 result in a miscarriage of justice, would deny the defendants sufficient time and the opportunity  
12 within which to be able to effectively prepare for trial, taking into account the exercise of due  
13 diligence.  
14

15 The continuance sought herein is excludable under the Speedy Trial Act, Title 18 U.S.C.  
16 3161(h)(7)(A), considering the factors under Title 18 U.S.C. 3161(h)(7)(B)(i) and  
17 3161(h)(7)(B)(iv).

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

**ORDER**

IT IS THEREFORE ORDERED that the calendar call currently scheduled for January 31, 2018 at the hour of 1:30 p.m. be vacated and continued to the **16th day of May, 2018 at 1:30 p.m.**

IT IS FURTHER ORDERED that the jury trial currently scheduled for February 5, 2018 at the hour of 9:00 a.m. be vacated and continued to the **21st day of May, 2018 at 9:00 a.m.**

DATED January 11, 2018.

  
UNITED STATES DISTRICT COURT JUDGE

# **EXHIBIT “C”**



MONT E. TANNER, ESQ.

LAW OFFICES OF  
**MONT E. TANNER**  
ATTORNEY AT LAW  
2950 EAST FLAMINGO ROAD, SUITE G, LAS VEGAS, NEVADA, 89121  
TELEPHONE: (702)369-9614  
FACSIMILE: (702)369-5731  
MTANNERLAW@AOL.COM

January 31, 2018

Via Email: [rknief@usa.doj.gov](mailto:rknief@usa.doj.gov)

Office of the United States Attorney  
333 Las Vegas Boulevard - Suite 5000  
Las Vegas, Nevada 89101  
Attn: Robert A. Knief, Esq.  
Assistant United States Attorney

Re: The United States of America v. Emile Edward Bouari  
Case No: 2:16-cr-00032-JCM-GWF  
Request for Stipulation and Order for Release Pending Trial

Dear Mr. Knief:

This firm represents Defendant Emile Bouari ("Bouari"), in the above entitled action.

Please be advised that we have reviewed the February 19, 2016 Findings of United States Magistrate, Peggy A. Leen [Doc. 34], (the "February 19, 2016 Findings"), which resulted in Bouari's incarceration. As you know, Bouari was incarcerated in February, 2016, and remains in custody to this day, **a full two years** since the February 19, 2016 Findings. (A copy of the Findings is attached hereto as Exhibit "A" for your reference.)

Please be further advised that we have also reviewed the proposed Plea Agreement Under Fed. R. Crim. P. 11(e)(1)(A) and (B), (the "Proposed Plea Agreement"). We note, specifically, that had Bouari accepted a plea in this matter, he would have been released from custody already. (A copy of the Proposed Plea Agreement is attached hereto as Exhibit "B" for your reference.)

Robert A. Knief, Esq.  
January 31, 2018  
Page Two

Please be further advised that we are aware that certain documents and information have been submitted to you on Bouari's behalf. The documents and information are in the form of a report by former FBI Agent and Trial Consultant, Jeffrey Danik (the "Danik Report"), which details a plethora of misconduct and unauthorized activity on the part of those involved in the initiation of this case. We have been further advised that, based on the Danik Report, you are in the process of conducting an investigation into the initiation of this case, and Bouari's resulting indictment, with a view towards determining whether Bouari's constitutional rights were violated in this matter.

We note also that the February 4, 2018 trial date has been continued to May 21, 2018. If Bouari is released pending trial, he will be better able to assist his counsel in preparing for trial.

Based on the foregoing, we write today to request a Stipulation and Order allowing for Bouari's release pending trial. In support of our request, we respectfully submit the following facts and information which we trust will address the issues in Magistrate Leen's February 19, 2016 Findings, to wit: (1) the possibility of Bouari being a flight risk; and (2) the possibility of Bouari endangering the safety of another person or the community.

**A. Bouari Is Not a Flight Risk; Bouari Has Contacts With Family and Friends, and He Has Ties to His Community.**

Bouari is not a flight risk; he has numerous contacts with family and friends, and he has substantial ties to his community.

**1. Background and Education.**

Specifically, Bouari has a sterling background. He has been a United States citizen for over a dozen years. He became a citizen through his service in the United States Army. Bouari served in the Army from 2003 to 2006, and received an Honorable Discharge. Bouari also has a Master's Degree from Boston University.

Robert A. Knief, Esq.  
January 31, 2018  
Page Three

## **2. Contacts.**

Bouari left Las Vegas, Nevada in June, 2015 and moved to Tampa, Florida, and then to Miami, Florida at the end of 2015. His previous landlord in Las Vegas was Mr. Jorge Rodriguez, who can be contacted by email at: [jrodriguez@havenrealtycap.com](mailto:jrodriguez@havenrealtycap.com).

Bouari also has a step-daughter, Ms. Sydney Milko, with whom he is in regular contact. Ms. Milko's mother, Kimberly Ann Milko, is a co-defendant in this matter. Other individuals who are Bouari's colleagues and friends, and who are willing to vouch for his good character are: Bouari's accountant, Ms. Lavetta Hankins, telephone number: (702) 619-111; Ms. Ciara Brown, telephone number: (702) 741-1761; and Lamone Price, telephone number: (702) 801-8822.

## **3. Employment.**

Although Bouari lost his business due to his incarceration, he remains friends with Mr. Steve Fitch of "Healthy Systems USA," and will be able to work with Mr. Fitch upon his release. Mr. Fitch is also willing to vouch for Bouari's character.

## **B. Bouari Will Not Endanger the Safety of Another Person or that of His Community.**

Finally, Bouari will not endanger the safety of any other person, or that of his community. Bouari has no previous convictions, either for non-violent or violent offenses.

Note that Bouari is agreeable to, and will cooperate fully with, a Court order that he wear an ankle monitor, and/or reside in a Court approved "half-way" house pending his trial.



Robert A. Knief, Esq.  
January 31, 2018  
Page Four

At this juncture, Bouari is only interested in assisting his counsel prepare for his upcoming trial on May 21, 2018, and has no interest in endangering others or his community. Further, Bouari would not seek to do anything illegal because he would not want to jeopardize the case against his co-defendant, Kimberly Ann Milko.

Based on the foregoing responses to the February 19, 2016 Findings, the Proposed Plea Agreement, and your ongoing investigation into the information in the Danik Report, we respectfully request that your office stipulate to Bouari's release pending the trial of this matter.

If you have any questions, or need further documents or information, please do not hesitate to contact our offices at any time. Thank you for your assistance herein.

Respectfully yours,  
LAW OFFICES OF MONT E. TANNER

---

Mont E. Tanner, Esq.

Enclosures



**EXHIBIT "D"**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

EMILE EDWARD BOUARI, et al.,

Defendant(s).

Case No. 2:16-CR-32 JCM (GWF)

ORDER

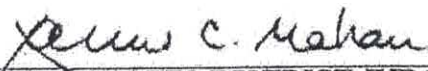
Presently before the court is the United States' motion to dismiss the criminal indictment against Ghassan Bouari Houbous in this matter pursuant to Federal Rule of Criminal Procedure 48(a). (ECF No. 113). Defendant filed a non-opposition response to the motion. (ECF No. 114).

The government requests that the court dismiss the indictment against defendant Ghassan Bouari Houbous "following additional investigation and in the interests of justice." The government may, with the leave of the court, dismiss an indictment, information, or complaint before trial. FED. R. CRIM. PRO. 48(a).

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States' motion to dismiss the criminal indictment in this matter pursuant to Federal Rule of Criminal Procedure 48(a) (ECF No. 113) be, and the same hereby is, GRANTED.

DATED August 9, 2017.

  
UNITED STATES DISTRICT JUDGE

# **EXHIBIT “E”**

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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 vs.  
15 EMILE EDWARD BOUARI,  
16 Defendant.

CASE NO.: 2:16-CR-00032-JCM-GWS

ORDER GRANTING DEFENDANT'S  
MOTION TO RECONSIDER DEFENDANT'S  
PRE-TRIAL DETENTION STATUS

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19 **IT IS HEREBY ORDERED** that Defendant Emile E. Bouari's  
20 ("Bouari"), MOTION TO RECONSIDER DEFENDANT'S PRE-TRIAL DETENTION  
21 STATUS is hereby **GRANTED**.

22 Dated the \_\_\_\_\_ day of April, 2018.  
23  
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25 \_\_\_\_\_  
26 UNITED STATES MAGISTRATE JUDGE  
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